IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.505 OF 2002
IN
SUMMARY SUIT NO.2866 OF 2001

Wallace Flour Mills Co.Ltd. ....Plaintiff

V/s.

Modern Food Industries (I) Ltd. ....Defendant

Mr.N.M. Shah for the Plaintiff.

None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 6TH JUNE, 2005.

P.C. :

1. The suit is filed to recover a sum of Rs.1,11,791/- together with interest towards the balance amount in respect of the goods sold and delivered as well as for the refund of security deposit for which a receipt has been executed (Exhibit "A").

2. There is no affidavit in reply. The amount is virtually admitted.

3. There is however no agreement to pay interest.

4. In the circumstances, the Plaintiff is entitled to principle amount upto the date of filing of the suit.

5. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed in the sum of Rs.83,785/- together with interest thereon at the rate of 12% p.a. from the date of the suit till payment and/or realisation and costs.

6. Refund as per rules.

. For the purpose of refund of the court fees, the Prothonotary and Senior Master to act on an authenticated copy of this order.